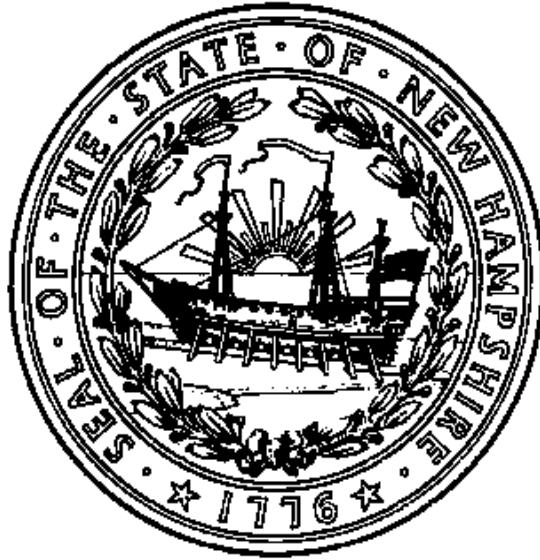


STATE OF NEW HAMPSHIRE



DEPARTMENT OF JUSTICE

**KELLY A. AYOTTE
ATTORNEY GENERAL**

AMERICAN RECOVERY AND REINVESTMENT ACT BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM



RECOVERY SUBGRANT APPLICATION KIT

**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF JUSTICE
GRANTS MANAGEMENT UNIT**

MISSION STATEMENT

The Grants Management Unit of the Department of Justice exists to make a difference in the lives of the citizens of New Hampshire by ensuring the proper use of federal funds for criminal justice purposes. The Grants Management Unit does this through:

- * the professional administration of grant resources;
- * the adherence to all underlying federal and state requirements;
- * the coordination of federal criminal justice resources available to the state; and
- * efficient service and assistance.

Telephone: 271-8090; E-mail: timothy.brackett@doj.nh.gov ; Website: www.nh.gov/nhdoj/

BYRNE JUSTICE ASSSITANCE GRANT PROGRAM

SUBGRANT APPLICATION KIT

The purpose of the Byrne Justice Assistance Grant Program (“Byrne JAG”) is to assist States and units of local government, along with other eligible entities, in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system. These federal funds are made available through the Bureau of Justice Assistance, Office of Justice Programs, United States Department of Justice.

New Hampshire’s statewide strategy for the Byrne JAG Program is concentrated on Demand Reduction Programs through the implementation of the Multijurisdictional Drug Task Force. Other strategy areas have included Youth-At-Risk programming, Criminal Justice Information Systems, Research and Evaluation and Homeland Security. Through the use of additional stimulus funding under the American Recovery and Reinvestment Act of 2009, we hope to be able to temporarily expand the scope of services available under this program.

This Subgrant Application Kit contains all the necessary forms and instructions for completing an application for funding under the Byrne JAG Program as administered by the New Hampshire Department of Justice.

A. COVER PAGE

Please complete the cover page, provided as Appendix A, with the appropriate information.

The names listed on this cover page and the signatures provided on these application package forms should be that of the head of the unit of government, director of the public department or agency, or other person legally authorized to submit and accept grants on behalf of the unit of government, public department or agency.

The Grant Starting Date should be the expected start date of the grant award and the Program Implementation Date should be the expected start date of the grant program. Programs should be implemented within ninety (90) days of the Grant Starting Date.

B. APPLICATION NARRATIVE

The Application Narrative should be sufficiently detailed to address the items listed below, but concise enough to present this information within a format of 10 pages or less. In evaluating each request, the application narrative will be weighted at 70 points and the budget section the remaining 30.

1. Problem Statement (30 Points)

This section should describe the nature and extent of the problem to be addressed and improvements needed to address the problem. The purpose of this section of the Application Narrative is to develop a clear, concise picture of the problem or gap in services or benefits that

will be addressed using grant funds. This section also should describe approaches taken thus far to address the problem, to include any other grant or non-grant funded projects undertaken within the target area aimed at addressing the stated need. The description of the problem should be supported by an analysis of statistical information and/or other factual information or relevant literature. The sources or methods used for assessing the problem also should be listed and described. The problem statement should also contain a clear description of any other resources the applicant is aware of in the target area that may be or will be leveraged in support of their proposed project.

2. Project/Program Design and Implementation (35 Points)

This section should provide a detailed description of the proposed solution to the problem. It should discuss both the scope and intent of the program and its relationship to the priorities and goals of your strategy, which are also included in this section.

Goals and Objectives outlined in this section should be clearly defined and quantifiable. Each goal should be fully described along with its' accompanying objectives, activities, and performance measures. Goals should represent general statements of the desired results or outcomes of the program. They should address the problem identified in the problem statement. The goals should be both realistic and achievable.

The objectives are specific approaches to achieving each of the goals. Objectives focus on the methods that will be used to address the problem; they should be clearly stated, realistic, and measurable. The accomplishment of objectives should result in the achievement of the goals they support.

The activities are performed to accomplish the objectives; they are the key operational elements of the program and must be specific and measurable.

Performance measures are used to determine the impact of the activities. They provide quantifiable information on the status of achievement for each objective. Performance measures clearly indicate whether or not the objective has been achieved, or, using gradations or increments, measure the degree to which the objective has been accomplished.

Within the Application Narrative, each goal should be presented with all of its accompanying objectives and key activities. Each objective must also be linked to one or more corresponding performance measures, which must be clearly identified, results oriented, and reasonably attainable within the grant period.

The project/program design and implementation section should clearly describe the structure and operation of the proposed program. The roles and responsibilities of key player should be clearly outlined, with supporting job descriptions attached as necessary. Regionalized and collaborative approaches are strongly encouraged where applicable and, where those methods are employed, applicants should include Memorandum of Understanding (MOU) documents or letters of support.

Successfully programs are generally those based on previously researched and evaluated programs, and so, where available, applicants should attempt to model their programs on available model 'blue print' or 'best practice' programs and to provide suitable supporting documentation of the efficacy of those model programs where available.

3. Sustainability and Evaluation Plan (5 Points)

As federal funding is generally considered 'seed money', successful applicants should include a description of how they intend on continuing efforts initiated through this request at the conclusion of the grant period. Applicants should also develop a plan for evaluating their programs to determine success or failure. Finally, applicants must describe a process through which required grant related data can be gathered and reported to the New Hampshire Department of Justice.

C. BUDGET

A Byrne JAG Budget form is attached as Appendix B. Federal Funds for Byrne JAG programs must be used to supplement, not supplant, existing subgrantee programs and services. This means that if an entity is currently paying for a specific service with local funding, they cannot request federal funds to pay for that same service. They may request funding to pay for an enhancement to that service, however only the enhancement will be eligible for funding. The original service must remain locally funded. **Byrne JAG subgrants NO LONGER require a new, CASH matching contribution from a non-federal funding source. This is a change from previous Byrne grants.** Budget sections are to include only those federal funds being requested. The budget section of each application is rated at 30 points for purposes of grant application review.

BUDGET DETAIL (20 Points):

1. Personnel: List all job titles for which funds are being requested, showing the total annual salary for the position, the percentage of time for the position that will be spent on grant allowable activities, the amount of salary to be devoted to this program (annual salary x percent time), and the amount of federal funds requested for the position for this program. Recipients of Byrne grant funds for personnel positions are required to maintain detailed time and attendance records for every personnel position funded under this grant program. Records must specify the dates of service, types of services performed, applicability to a specific grant or activity type and the number of hours worked performing these services. The records must also differentiate allowable vs. non-allowable services. These records will be subject to review by the New Hampshire Department of Justice during regular monitoring visits.
2. Fringe Benefits: Itemize fringe benefits (medical coverage, FICA, etc.) and show the total cost for the program and the amounts to be contributed by the federal funds and matching contributions. Individual fringe benefit types and their percent of the total must be clearly spelled out.

3. Travel: List projected in-state and out-of-state mileage, rate of reimbursement (no greater than the current state approved rate), total mileage cost, and amounts to be contributed by the federal dollars and other sources. For conference or training related travel, itemize the individual travel costs expenses, such as hotel, mileage, airfare, ground transportation, meals and incidentals. Meals and incidental rates may be obtained from the GSA website. (www.gsa.gov). Approved mileage rates may be obtained from the Grants Management Unit at the New Hampshire Department of Justice using the contact information supplied with this application.
4. Equipment Purchases: List any equipment to be purchased. Itemize each piece of equipment with an individual cost, then calculate and display the total equipment cost. Per federal guidelines, equipment is defined as non-expendable items having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. For purposes of subgrant maintenance, the NH Department of Justice will, if an award is made, include both equipment and supplies on the same reimbursement expenditure line, however for application purposes, those two categories must be reported separately.
5. Supplies: List items by type. Generally supplies include any materials that are expendable or consumed during the course of the project and that have an acquisition cost of less than \$5,000.
6. Construction: Construction is not an allowable activity under NH Department of Justice sub awards, unless specifically allowed by the federal program office. Any applicant considering the inclusion of construction costs MUST contact the NH Department of Justice grant program manager for this program prior to submitting a request.
7. Consultant/Contractual Services: List any consultants or contractual services to be purchased, the number of hours/days to be worked, the hourly/daily rate and the total cost.
8. Other Costs: This may include items such as postage, telephone, printing, and office supplies. List each item separately, except that individual supplies need not be itemized.
9. Indirect Costs: Applicant agencies requesting indirect costs must have an approved federal indirect cost rate, a copy of which must be submitted with this application.

Budget Detail Totals:

Each sub section of the federal application must be individually totaled for both federal and matching, if required, funds. Those totals are then listed on the budget detail summary sheet to provide an overall project total.

BUDGET NARRATIVE (10 Points)

The grant budget narrative form is attached as **Appendix C**. For each of your budget categories, provide a brief narrative explaining and justifying the itemized expenses. For all budget categories, please explain whether it is a new expense or an increase to an existing expense. For example, for the Personnel category, list the personnel, their program job functions, whether it is a new or expanded position, etc. Also for personnel positions, a description of individual fringe benefits costs and an explanation of why they are being charged. For overtime costs, a justification of how the agency arrived at their proposed overtime cost rate and a statement that this cost is applied uniformly across their agency and was not derived as a result of this grant application.

D. BYRNE PROGRAM GUIDELINES AND CONDITIONS

Byrne JAG Program Guidelines and Conditions are attached as **Appendix D**. If Byrne grant funds are awarded for the program described in this application package, adherence to the program guidelines and conditions listed in this form will be required during the administration of the grant. Signatures provided on these forms should be that of the head of the unit of government, director of the public department or agency, or another person legally authorized to submit and accept grants on behalf of the unit of government, public department or agency. These guidelines are revised each year to ensure compliance with any changing Federal requirements, please read them carefully and completely.

E. CERTIFICATION REGARDING DEBARMENT, SUSPENSION INELIGIBILITY, AND VOLUNTARY EXCLUSION

A Debarment Certification form is attached as **Appendix E**. A person may be debarred or suspended for any of the causes listed in 28 CFR §67.305 and §67.405. A person who is debarred or suspended shall be excluded from Federal financial and non-financial assistance and benefits under Federal programs and activities. Debarment or suspension of a participant in a program by one Federal agency shall have government wide effect. For purposes of this certification, “prospective lower tier participant” shall refer to the subgrantee.

Instructions for Certification:

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification as set out.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant

learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

F. AUDIT

All applicants **MUST** provide a copy of the agency's most recent financial audit (including any management letters) as part of this application package.

G FOR NON-PROFIT, NON-GOVERNMENTAL AGENCY APPLICANTS ONLY

If the applicant agency is a non-profit, non-governmental agency, it must be an IRS 501(c)(3) agency and in good standing with the registration requirements of the Charitable

Trusts Division of the NH Department of Justice. The non-profit, non-governmental agency must provide a list of the Board of Directors and the most recently filed IRS 990-tax form with the application forms. (NOTE: A waiver form is no longer required of non-profit, non-governmental agencies.) Non-Governmental applicants must be registered State Vendors in order to receive payment from the State. Those not currently holding a vendor number must complete the process to become a vendor prior to receiving a grant award. Contact the granting agency for details on how and where to submit those forms.

H DRUG TASK FORCE OR OTHER PERSONNEL CERTIFICATION

Drug Task Force applicants or other applicants seeking funds for personnel positions need to sign and submit a certification, attached as **Appendix F** detailing how the project related personnel position is being funded. Grant funded project personnel are either newly hired officers/individuals, hired to fill the position in the Drug Task Force/Grant Project or are ‘backfill’ officers/individuals hired to replace an existing individual being assigned to the Drug Task Force/Grant Project. In either case, the overall compliment/# hours worked in the agency must increase to be eligible for grant funding. In the case of ‘backfill’, the agency may either hire a new full time officer/individual, to be funded by grant funds while the individual assigned to the Drug Task Force/Grant Project is paid by local agency/organization funds, or they may use overtime in the same manner, to ‘backfill’ the Drug Task Force/Grant Project persons’ vacancy. In all instances, there must be a net increase in the number of persons working for the applicant agency or hours worked when requesting grant funds for personnel positions.

I PERFORMANCE OBJECTIVES

Program specific requirements that must be tracked and reported on a semi-annual basis. Progress reports are due no later than 15 days past the periods ending June 30 and December 31. Progress reports will be mailed to each recipient and should be completed using the forms provided. The complete list of required information can be found in **Appendix G**. Applicants will be required to report on only those activities relevant to their program.

J APPLICATION CHECKLIST

Please complete and return the application checklist, attached as **Appendix H**, with the application package to ensure that all necessary items have been submitted.

K SUBGRANT ADMINISTRATION/REPORTING REQUIREMENTS

A one-page Byrne Formula Grant Subgrant Information Sheet has been attached as **Appendix I**. This sheet briefly explains the subgrant requirements to successful applicants who receive subgrant awards.

L SUBMISSION

Please submit one original of the complete application package by the date requested to: Tim Brackett, Grants Manager, NH Department of Justice, 33 Capitol Street, Concord, NH 03301

M CONTACT INFORMATION

If you have any questions regarding this Byrne application kit or the Byrne application process, please contact Tim Brackett at the NH Department of Justice at 271-8090 or timothy.brackett@doj.nh.gov

N ADDITIONAL FEDERAL REQUIREMENTS

Specific to funding under the American Recovery and Reinvestment Act of 2009 any recipient of federal funds, whether as a direct award or a sub-award, must register with the Central Contractor Registry (CCR) and must also obtain a DUNS number.

- Obtaining a DUNS number is a free, simple one-time activity. Obtain a number by calling 1-866-705-5711 or by applying on line at <http://fedgov.dnb.com/webform> or <http://www.dnb.com/us>.
- To register with the CCR, go to this website <http://www.ccr.gov/> and follow the on screen instructions for starting a new registration. Registration with the CCR may take several weeks to complete, so applicants should begin the process as soon as possible.
- Applicants need not have either the DUNS number or CCR registration process completed prior to applying for funding, but must have both completed prior to being issued an award.

O ADDITIONAL REPORTING REQUIREMENTS

Section 1512 of the Recovery Act requires each state department to report the following information to the federal agency providing the award 10 days after the end of each reporting calendar quarter.

- The total amount of recovery funds received from that agency
- The amount of recovery funds received that were obligated and expended to projects or activities and the unobligated allotment balance for each program/grant.
- Detailed list of all projects for which recovery funds were obligated and expended, including –
 - Name of the project or activity
 - Description of the project or activity
 - An evaluation of the completion status of the project or activity
 - An estimate of the number of jobs created and the number of jobs retained by the project or activity

In order to comply with the federal 10-day limit, the NH Department of Justice must require that subgrant reports be submitted within **5 days** of the end of each calendar quarter.

APPENDIX A

STATE OF NEW HAMPSHIRE



DEPARTMENT OF JUSTICE

BYRNE JAG APPLICATION
COVER PAGE

- a) Program Title _____
- b) Grant Starting Date _____ c) Ending Date _____
- d) Program Implementation Date _____ e) Federal Funds Requested \$ _____
- f) Agency Name _____
- g) Chief Elected Official/Head of Agency
Name _____ Title _____
Address _____
Telephone: _____ Fax: _____ E-mail: _____
- h) Program Director
Name _____ Title _____
Address _____
Telephone: _____ Fax: _____ E-mail: _____
- i) Financial Officer
Name _____ Title _____
Address _____
Telephone: _____ Fax: _____ E-mail: _____

APPENDIX B

New Hampshire Department of Justice

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Federal</u>	<u>Match</u>
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SUB-TOTAL_____

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation. Individual fringe benefits must be listed by amount and percentage.

<u>Name/Position</u>	<u>Computation</u>	<u>Federal</u>	<u>Match</u>
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SUB-TOTAL_____

Total Personnel & Fringe Benefits_____

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location Item	Computation	Federal	Match
--------------------------	----------------------	--------------------	----------------	--------------

TOTAL_____

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Federal	Match
-------------	--------------------	----------------	--------------

TOTAL_____

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Federal	Match
---------------------	--------------------	----------------	--------------

TOTAL_____

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Federal	Match
Program category Not Approved By NH Department of Justice			

TOTAL _____

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Federal	Match
---------------------------	-------------------------	--------------------	----------------	--------------

Subtotal _____

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Federal	Match
-------------	-----------------	--------------------	----------------	--------------

Subtotal _____

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

Item	Federal	Match
-------------	----------------	--------------

Subtotal _____

TOTAL _____

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

<u>Description</u>	<u>Computation</u>	<u>Federal</u>	<u>Match</u>
--------------------	--------------------	----------------	--------------

TOTAL_____

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

<u>Description</u>	<u>Computation</u>	<u>Federal</u>	<u>Match</u>
--------------------	--------------------	----------------	--------------

Requires applicant have an approved federal indirect cost rate.

TOTAL_____

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal (match) funds that will support the project.

Budget Category	Amount	Federal	Match
A. Personnel		_____	_____
B. Fringe Benefits		_____	_____
C. Travel		_____	_____
D. Equipment		_____	_____
E. Supplies		_____	_____
F. Construction		_____	_____
G. Consultants/Contracts		_____	_____
H. Other		_____	_____
Total Direct Costs		_____	_____
I. Indirect Costs		_____	_____
TOTAL PROJECT COSTS		_____	_____

Federal Request _____

Non-Federal Match Amount _____

APPENDIX C

New Hampshire Department of Justice

BUDGET NARRATIVE:

APPENDIX D

BYRNE JAG FORMULA GRANT PROGRAM
GUIDELINES AND CONDITIONS
(Page One of Four)

I, the below-named individual, on behalf of the below-named agency (hereinafter referred to as “subgrantee”), am legally authorized to submit and accept grants on behalf of the applicant agency, and hereby certify that the grant program outlined in this application package, if funded by Edward Byrne Justice Assistance Grant Formula Grant (Byrne Program) funds, will adhere to the following guidelines and conditions:

1. The subgrantee assures that it will comply with the regulations, policies, and guidelines to satisfy requirements of the Byrne JAG Program pursuant to Title I of the Omnibus Crime Control and Safe Street Act of 1968, 42 U.S.C. 3711 et. seq.

2. The subgrantee agrees to adhere to the financial and administrative requirements as set forth in the current edition of the Office of Justice Programs “Financial Guide”.

3. The subgrantee agrees to implement this project within sixty (60) days following the grant award date or provide a letter outlining reasons for the delay. Grant programs not started within (90) days of the original grant award date must provide an additional letter outlining reasons for the delay and are subject to automatic cancellation of the grant. Evidence of project implementation must be outlined in the first quarterly federal expenditure report.

4. The subgrantee assures that federal funds received for this grant program will not be used to supplant State and local funds that would otherwise be available for the program’s purpose. The subgrantee further assures that the Byrne JAG Program grant funds will be expended only for purposes and activities covered by the subgrantees approved application.

5. The subgrantee agrees to provide information on the program supported with Byrne JAG Program grant funds as requested by the United States Department of Justice and the New Hampshire Department of Justice, Grants Management Unit and to retain grant-related documentation for three (3) years after the close of the grant award period.

6. The subgrantee authorizes representatives from the United States Department of Justice and the New Hampshire Department of Justice to access and examine all records, books, papers, and/or documents related to this Byrne JAG Program. Further, the subgrantee agrees to submit to performance monitoring visits by the New Hampshire Department of Justice and/or the United States Department of Justice on a periodic basis.

7. The subgrantee agrees to maintain detailed time and attendance records for personnel positions partially funded with Byrne JAG Program or other grant funds. The subgrantee agrees to maintain payroll records for any personnel positions fully funded with Byrne JAG Program grant funds.

BYRNE JAG FORMULA GRANT PROGRAM
GUIDELINES AND CONDITIONS
(Page Two of Four)

8. The subgrantee agrees that all Byrne JAG Program grant funds will be expended on Byrne JAG Program allowable activities. The subgrantee must obtain prior written approval from the New Hampshire Department of Justice in order to make any changes in program activities, designs, budget plans or the grant start and ending dates, which were set forth in the subgrantee's application.

9. Equipment purchased with Byrne JAG Program grant funds shall be listed by the subgrantee on the agency inventory. The inventory must include the item description, serial number, cost, location, and percentage of federal Byrne JAG Program grant funds.

10. The subgrantee agrees that the title to any equipment purchased with Byrne JAG Program funds will revert back to the New Hampshire Department of Justice, Grants Management Unit, when it is no longer being used for criminal justice purposes for which it was acquired.

11. The subgrantee agrees to provide for an annual audit of the Byrne JAG funded program. Byrne JAG Program funds will only pay its prorated share of the audit if required under OMB Circular No. A-133. This prorated share is the percentage of the Byrne JAG Program grant award compared to the total agency budget. The audit shall be conducted in accordance with OMB Circular No. A-133 (revised 06/24/97). A copy of the completed audit report and management letters shall be sent to the New Hampshire Department of Justice, Grants Management Unit, annually. If the subgrantee is not required to perform an audit under the revised version of OMB Circular No. A-133, but an audit is still performed, the subgrantee agrees to provide a copy of said audit and management letters to the New Hampshire Department of Justice, Grants Management Unit.

12. The subgrantee and all its contractors will comply, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789 (d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans With Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discriminations, 28 CFR Part 35 and Part 39.

13. The subgrantee assures that in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing against the subgrantee on the grounds of race, religion, national origin, sex, age, or disability, a copy of the finding will be submitted to the New Hampshire Department of Justice, Grants Management Unit and to the Office of Civil Rights for the Office of Justice Programs, Room 8136, 810 Seventh Street, NW, Washington, D.C. 20531.

BYRNE JAG FORMULA GRANT PROGRAM
GUIDELINES AND CONDITIONS
(Page Three of Four)

14. The subgrantee agrees to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Form (I-9). This form is to be used by the subgrantee to verify that persons employed by the subgrantee are eligible to work in the U.S.

15. The subgrantee assures that no Federal appropriated funds have been paid or will be paid, by or on behalf of the subgrantee, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the subgrantee shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

16. Grants are funded for the grant award period noted on the grant award document. No guarantee is given or implied of subsequent funding in future years.

17. Repayment of this grant may be required if the subgrantee receives a state or federal forfeiture, which exceeds the amount of the grant award.

18. Pursuant to 23 USC §§402, 403 and 29 USC §668, the subgrantee agrees to encourage on-the-job seat belt policies and programs for their employees and contractors when operating company-owned, rented, or personally owned vehicles.

19. All materials publicizing or resulting from award activities shall contain an acknowledgment of the awarding agency assistance. An acknowledgment of support shall be made through use of the following or comparable footnote: "This project was supported by Award No. see award document awarded by the Bureau of Justice Assistance, Office of Justice Programs and administered through the New Hampshire Department of Justice."

20. Any publications (written, visual or sound), whether published through Federal grant funds or matching funds, shall contain the following statements: "This project was supported by Grant No. see award document awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

21. The subgrantee agency agrees that, should they employ a former member of the NH Department of Justice (NHDOJ), that employee or their relative shall not be perform work on or be billed to any federal or state subgrant or monetary award that the employee.

BYRNE JAG FORMULA GRANT PROGRAM
GUIDELINES AND CONDITIONS
(Page Four of Four)

directly managed or supervised while at the NHDOJ for the life of the subgrant without the express approval of the NH Department of Justice.

22. The subgrantee must certify that Limited English Proficiency persons have meaningful access to any services provided by this program. National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with these requirements. The guidance document can be accessed on the Internet at www.lep.gov.

23. Sec. 1605. Use of American Iron, Steel, and Manufactured Goods. (a) None of the funds appropriated or otherwise made available by this Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States. (b) Subsection (a) shall not apply in any case or category of cases in which the head of the Federal department or agency involved finds that—

applying subsection (a) would be inconsistent with the public interest; iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

If the head of a Federal department or agency determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the head of the department or agency shall publish in the Federal Register a detailed written justification as to why the provision is being waived. This section shall be applied in a manner consistent with United States obligations under international agreements.

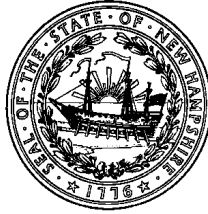
24. SEC. 1606. Notwithstanding any other provision of law and in a manner consistent with other provisions in this Act, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

Head of Agency _____ Date: _____

Financial Officer _____ Date: _____

APPENDIX E

DEPARTMENT OF JUSTICE
STATE OF NEW HAMPSHIRE



CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION
LOWER TIER COVERED TRANSACTIONS

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR §67.510, Participants' responsibilities. The intent of this Order was to ensure that no recipient of federal funds had been restricted from conducting business with the federal government due to any of the causes listed in 28 CFR §67.305 and 28 CFR §67.405.

By signing this document, you are certifying that neither your agency, nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any transaction by any Federal department or agency.

If you are unable to sign this certification, you must attach an explanation to this certification.

Name and Title of Head of Agency

Signature

Date

Name and Address of Agency

APPENDIX F

BYRNE JAG FORMULA GRANT PROGRAM
DRUG TASK FORCE OFFICER PROGRAM
PERSONNEL CERTIFICATION

We, the undersigned, certify that the Byrne JAG Formula Grant funds that are being accepted for a Drug Task Force Program will be utilized to: (please check the one allowable area to which funds will be applied)

- _____ a. hire a new police officer to become the drug task force officer.
- _____ b. hire a new police officer to backfill the vacancy left by an experienced police officer becoming the drug task force officer. Any hours worked outside the scope of the police officer's regular workweek hours shall be considered overtime and paid to the police officer through town or other funding sources unrelated to this grant program.
- _____ c. add overtime of part-time or full-time police officers to backfill the vacancy left by an experienced police officer becoming the drug task officer.

Payment of overtime expenses for the drug task force officer for drug task force duties are paid separately from this grant and should not be charged to the Byrne JAG Formula Grant subgrant. Those expenses should be submitted separately to James Norris, Commander of the NH Drug Task Force, for reimbursement.

Head of Agency

Date

Program Director

Date

Financial Officer

Date

BYRNE JAG FORMULA GRANT PROGRAM
OTHER PERSONNEL CERTIFICATION

We, the undersigned, certify that the Byrne JAG Formula Grant funds that are being accepted for a personnel position related to a grant funded program will be utilized to: (please check the one allowable area to which funds will be applied)

- _____ a. hire a new individual to become the Grant Project Person described in the application.
- _____ b. hire a new individual to backfill the vacancy left by an experienced individual becoming the grant project person. Any hours worked outside the scope of the individual's regular workweek hours shall be considered overtime and paid to that individual through town or other funding sources unrelated to this grant program.
- _____ c. add overtime of part-time or full-time project staff to backfill the vacancy left by an experienced individual becoming the grant project individual.

Head of Agency

Date

Program Director

Date

Financial Officer

Date

APPENDIX G

Byrne JAG Annual Report Criteria

All Programs

What were your accomplishments within this reporting period?

What goals were accomplished, as they relate to your grant application?

What problems/barriers did you encounter, if any, within the reporting period that prevented you from reaching your goals or milestones?

Is there any assistance that NH DOJ can provide to address any problems/barriers identified in question #4 above? (Please answer YES or NO only.)

Are you on track to fiscally and programmatically complete your program as outlined in your grant application? (Please answer YES or NO. If no, please explain.)

What major activities are planned for the next 6 months?

Based on your knowledge of the criminal justice field, are there any innovative programs/accomplishments that you would like to share with NH DOJ?

How many Jobs were either created or preserved with these grant funds?

Drug Treatment Programs

Number of treatment programs. How many institutional based treatment programs were funded?

How many community based treatment programs were funded?

How many aftercare programs were funded?

Alternatives to Incarceration Programs

Number of alternative to incarceration programs. How many programs were funded?

How many offenders participated?

How many offenders successfully completed the programs?

APPENDIX H

APPLICATION CHECKLIST

Please be sure that the following sections are completed and returned with your Byrne grant application. Please include a completed copy of this checklist in your application.

- _____ **COVER PAGE**
- _____ **APPLICATION NARRATIVE**
- _____ **BUDGET ITEMIZATION**
- _____ **BUDGET NARRATIVE**
- _____ **SIGNED BYRNE PROGRAM GUIDELINES AND CONDITIONS**
- _____ **SIGNED CERTIFICATION REGARDING DEBARMENT,
SUSPENSION INELIGIBILITY, AND VOLUNTARY EXCLUSION**
- _____ **AUDIT**
- _____ **DTF OR OTHER PROJECT PERSONNEL CERTIFICATION**
- _____ **AGENCY BOARD OF DIRECTORS, IRS 990 TAX FORM (if applicable)**
- _____ **EFFECTIVE PRACTICE FORM (if applicable)**
- _____ **APPLICATION CHECKLIST**

APPENDIX I

BYRNE FORMULA GRANT SUBGRANT INFORMATION SHEET

I. Financial Issues

A. Cost Allowability

- Only those program activities stated in the approved application are allowable as Federal expenses against the grant.
- All grant funds must be expended or obligated (via purchase order, contract, etc.) by the Grant End Date. Grant funds that have been obligated but not expended by the Grant End Date must be expended by the agency and reimbursed by our office no later than 75 days after the Grant End Date.
- Supplanting (replacing local funds with Federal funds) is not allowable.
- Byrne JAG funds must represent new, additional funding beyond your agency's budget for the additional grant-funded project activities you are proposing.

B. Grant Adjustments

- Any budgetary or goals/objectives changes to the program as outlined in the approved application must have prior written approval via a Grant Adjustment. Requests for grant adjustments may be made via letter or e-mail to your program manager. Please be specific about the proposed changes.

C. Summary of Expenditures Report

- Grant payment is done on a reimbursement basis only via the Summary of Expenditures Report.
- Quarterly Filing (by calendar quarters) is REQUIRED. Monthly filing is allowed.
- Quarterly Filing is due within 2 business days following the end of each quarter. If you don't file within 5 days your grant is considered out of compliance.
- You must file even if you are claiming zero expenses.
- Two signatures are required on the Summary of Expenditures Form.
- Federal expenditures must be documented in your files.
- Documentation for expenses does not need to be included with filing.

D. Annual Audit

- Your city/town/organization is required to send us a copy of any yearly audits complete along with any management letters.

II. Programmatic Issues

A. Annual Site Monitoring Visit

- Each Byrne-funded project will receive a site-monitoring visit once a year, for most programs, which will be scheduled for a mutually convenient date and time.

B. Progress Reports

- Semi Annual Progress Reports are due within 2 days following July 1st and December 31st of each year to report on activities accomplished during that previous period.
- Quarterly Progress reports are due at the same time as each Summary of Expenditure report form.
- Reporting requirements are still pending federal review, but will be provided at the time of award.